

JEFFRY G. LOCKE, Trustee
Chapter 7 Bankruptcy Trustee
530 Alameda Del Prado, #396
Novato, CA 94949
(415) 884-2264

FILED
ORDER FOR RELIEF
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U.S. BANKRUPTCY COURT
NORTHERN DIST. OF CA.
SANTA ROSA, CA.

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re) Case No. 00-12226- AJ
MURPHY, JOHN BRYAN)
) Chapter 7
)
) TRUSTEE'S FINAL REPORT AND
) APPLICATION FOR COMPENSATION
) AND REIMBURSEMENT

The undersigned Trustee of the above-entitled estate hereby files this Trustee's Final Report, and declares as follows:

1. INTRODUCTION. The petition commencing this case was filed on 09/19/00 . The undersigned was appointed Trustee on 03/29/02 **after the resignation of the original trustee, Ray Carey**, and the 11 U.S.C. §341(a) meeting was completed on 10/17/00. The amount of the Trustee's blanket bond is \$11,000,000.00 with an individual case limit of \$5,000,000.00.

2. DISPOSITION OF ASSETS. All assets of the debtor(s) have been reduced to cash, released to the debtor(s) as exempt property, abandoned pursuant to 11 U.S.C. §554(a) or (b), or will be abandoned pursuant to §554(c). An accounting of the disposition of all property is attached hereto as U.S.T. Form 1 (Individual Estate Property Record). **#1,112,855.04 DLB 7-6-05**

3. RECEIPTS AND DISBURSEMENTS. An itemized statement of the Trustee's receipts and disbursements showing total receipts of ~~\$1,112,789.54~~, disbursements of \$997,319.68 and balance of funds on hand of ~~\$115,469.86~~, is attached hereto as U.S.T. Form 2 (Estate Cash Receipts and Disbursements Record). **#115,535.36 DLB 7-6-05**

4. CLAIMS. The bar date for the filing of claims has now passed. All claims filed have been examined and all objections made by the Trustee or others have been determined by the Court or settled by the parties.. See attached Claims Register.

5. TRUSTEE'S FEES AND EXPENSES. **The trustee has spent in excess of 66.4 hours with the administration of the case. The trustee is not requesting the maximum compensation** pursuant to 11 U.S.C. §330(a) AND 326(a), the Trustee's compensation has been computed as follows:

Total Disbursement:	\$1,112,789.54	
Less: Amount Paid to Debtor	\$51,900.00	
Balance:	\$1,060,889.54	
25% of first \$5,000 or less		\$1,250.00
Balance:	\$1,055,889.54	
10% of next \$45,000 or less		\$4,500.00
Balance:	\$1,010,889.54	
5% of next \$950,000		\$47,500.00
Balance:	\$60,889.54	
3% of balance		\$1,826.69
Maximum Compensation:		\$55,076.69
Adjustment to Maximum		30,076.69
Amount Requested:		\$25,000.00

I have previously received \$0.00 of this total as interim compensation, and now request the additional sum of \$25,000.00 as my final compensation.

In addition, reimbursement of reasonable and necessary expenses incurred is requested as follows:

Expense Description	Extension
Necessary travel (44.0 miles @ 40.5 cents/mile)	\$17.82
Necessary copies (227.0 @ 20.0 cents/copy)	\$45.40
Postage	\$16.14
Telephone charges	\$7.11
Total Expenses	\$86.47

A Statement of Services Rendered is attached (if applicable).

I have received \$0.00 of this total as interim reimbursement, and now request \$86.47 as my final reimbursement.

6. PROFESSIONAL(S) FEES AND EXPENSES.

Pursuant to 11 U.S.C. §330(a), the following professional BACHECKI CROM & CO, has filed an application for employment approved by the Court (see attached application and order) and is now requesting total compensation of \$9,952.50 pursuant to his(her) fee application, a copy of which is attached hereto. BACHECKI CROM & CO has previously received \$0.00 of the above total as interim compensation, and now requests \$9,952.50 as his(her) final compensation.

Pursuant to 11 U.S.C. §330(a), the following professional BACHECKI CROM & CO, has filed an application for employment approved by the Court (see attached application and order) and is now requesting reimbursement of reasonable and necessary expenses incurred in the amount of \$116.36 pursuant to his(her) fee application, a copy of which is attached hereto. BACHECKI CROM & CO has previously received \$0.00 of the above total as interim reimbursement, and now requests \$116.36 as his(her) final reimbursement.

Pursuant to 11 U.S.C. §330(a), the following professional Darrell K. Petersen, has filed an application for employment approved by the Court (see attached application and order) and is now requesting total compensation of \$1,956.00 pursuant to his(her) fee application, a copy of which is attached hereto. Darrell

1 K. Petersen has previously received \$0.00 of the above total as interim compensation, and now requests
2 \$1,956.00 as his(her) final compensation.

3 Pursuant to 11 U.S.C. §330(a), the following professional Michael Fallon, has filed an application for
4 employment approved by the Court (see attached application and order) and is now requesting total
5 compensation of \$18,847.00 pursuant to his(her) fee application, a copy of which is attached hereto.
6 Michael Fallon has previously received \$0.00 of the above total as interim compensation, and now requests
7 \$18,847.00 as his(her) final compensation.

8 Pursuant to 11 U.S.C. §330(a), the following professional Michael Fallon, has filed an application for
9 employment approved by the Court (see attached application and order) and is now requesting
10 reimbursement of reasonable and necessary expenses incurred in the amount of \$184.98 pursuant to
11 his(her) fee application, a copy of which is attached hereto. Michael Fallon has previously received \$0.00 of
12 the above total as interim reimbursement, and now requests \$184.98 as his(her) final reimbursement.

13 7. PROPOSED DISTRIBUTION. After deduction of any remaining allowed secured claims and deduction
14 of the Trustee's request for compensation and reimbursement of reasonable and necessary expenses (or
15 proration thereof), the remaining balance on hand should be disbursed in accordance with 11 U.S.C.
16 §330(a), §502(b), and §503(b) and to thereafter award final compensation, reimbursement of expenses,
17 administrative expenses and other payments as stated in this report.

18 I certify under penalty of perjury that the foregoing is true and correct and that I have no agreement or
19 understanding, expressed or implied, with anyone whosoever as to any division of fees in the above matter.

20 I request that the United State Trustee approve this report and further request that the Court provide notice
21 and an opportunity for a hearing under 11 U.S.C. §330(a), §502(b), and §503(b) and to thereafter award
22 final compensation, reimbursement of expenses, administrative expenses and other payments as stated in
23 this report.

24 Jeffry G. Locke, #805

25 Date June 27, 2005

26 JEFFRY G. LOCKE, Bankruptcy Trustee

27 **REVIEW BY UNITED STATES TRUSTEE**

28 The United States Trustee has reviewed the foregoing Trustee's Final Report.

Sara L. Kistler
Acting United States Trustee

Date

July 6, 2005

By:

Doug Brown

Jeffrey G. Locke
Bankruptcy Trustee
530 Alameda Del Prado, #396
Novato, CA 94949

Invoice submitted to:
Estate of John Murphy
Bankruptcy Case No. 00-12226

June 27, 2005

Invoice #10001

Professional Services

	<u>Hours</u>	<u>Amount</u>
3/29/2002 Review and post successor trustee notice. Telephone call with UST re same and conversion. Review and post UST comments from review.	0.60	180.00
4/2/2002 Telephone calls with banks re conversion.	0.40	120.00
Review correspondence from Fallon re Grant's correspondence re security interest of Ungermann. Review form II for posting by Carey. Review history of sale and compromise documents.	0.70	210.00
4/5/2002 Prepare wire authorization for conversion transfer. compare attachment and post.	0.30	90.00
4/18/2002 logon and review transmission log for transfers and conversion. Telephone call with bank re same compare to system.	0.40	120.00
5/10/2002 Review account closeout worksheet, revisions. Review records re same. Prepare transmittal to bank re same. Telephone call with bank re same 3x.	0.50	150.00
Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.40	120.00
recon	0.40	120.00
Prepare Pacer claims request and order for claims. Repost secured claims by UST categories. Review proposed distribution. Telephone call to counsel re fees to date and status of revocation of discharge. Post clerk's claim for AP fees. Telephone call with bank re CD rates. Post new account and transfer to CD.	1.80	540.00

	<u>Hours</u>	<u>Amount</u>
5/11/2002 Review Carey case file and prepare notes. Proof conversion. Update system notes and confirm transfers. Telephone call to Fallon re status. Verify sales posting due to UST review comments. Post bond claims, commissions, liens, and closing cost claims. Post Secured claims .	2.20	660.00
5/20/2002 Prepare for US Trustee universal transaction code conversion, data backup. Review conversion manual. Telephone call with vendor re updated reports. Run conversion and proof data, manually convert selected transactions. Proof.	0.60	180.00
5/21/2002 Review claims and post to system. Prepare transmittal to counsel re objections. Review file for history of debtor claims and Ungermann claims.	1.60	480.00
Prepare transmittal to counsel re claims and objections. Telephone call with counsel re same. Telephone call with accountant re re IRS claim. Telephone call with counsel again re return.	1.10	330.00
6/10/2002 Telephone call with bank re FIT, Chase and BOA. Review transmission and post interest earned and notes.	0.40	120.00
7/9/2002 Review and print email re increased bond. Telephone calls with UST re same. Review correspondence re bond increase and modify software for increased bond and rate. Post bond claim and Prepare distribution or payment. Post to system and review balances..	0.80	240.00
7/16/2002 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.20	60.00
7/24/2002 Review open account status and close BOA accounts on system.	0.20	60.00
8/14/2002 Telephone call with bank re CD maturity. Post interest. Telephone call with tech support re reopening CD's automatically closed. Post reopened CD's and input shadow balances and ledger balances. Post transfer and mark for manual transmissions. Re-close CD. Confirm balances.	0.50	150.00
9/15/2002 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.20	60.00
10/10/2002 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.20	60.00
11/12/2002 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.20	60.00
12/20/2002 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.20	60.00
1/15/2003 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.20	60.00

	<u>Hours</u>	<u>Amount</u>
1/21/2003 Review bond invoice and attachments. Prepare bond allocation report and review, revise. Prepare distribution or payment. Post to system and review balances. Post claim and link disbursement to claim per UST requirement.	0.30	90.00
2/13/2003 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.20	60.00
3/12/2003 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.20	60.00
4/10/2003 recon	0.20	60.00
5/12/2003 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.20	60.00
6/12/2003 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.20	60.00
7/14/2003 recon	0.20	60.00
8/13/2003 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.20	60.00
9/5/2003 Review counsel's response.	0.10	30.00
Telephone call with UST Re status. Review file and confirm claims information. Telephone call with counsel re status of tax claims.	1.10	330.00
9/11/2003 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.20	60.00
9/23/2003 Review correspondence from counsel re tax claim. Review objection to claim and POS.	0.20	60.00
10/9/2003 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.20	60.00
10/23/2003 Review correspondence from IRS re claims objection, Review attachment and Prepare transmittal to accountant re same.	0.30	90.00
10/29/2003 Review correspondence from counsel regarding re IRS request.	0.10	30.00
11/13/2003 Review case and update current status per UST requirement. Document periodic review of case. Status update.	0.30	90.00
11/14/2003 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements..	0.20	60.00
11/19/2003 Review and print email re IRS objection. Prepare response and Review and print email to counsel.	0.30	90.00

		<u>Hours</u>	<u>Amount</u>
11/20/2003	Telephone call with counsel re IRS claim. Review and print email re accountant analysis of IRS claim. Conference call with counsel and accountant.	0.60	180.00
11/25/2003	Review application, declaration and proposed order. Post. accountant. Review Power of Attorney. Prepare transmittal to accountant re same.	0.50	150.00
	Review correspondence from counsel re IRS claim objection. Review correspondence from IRS re same with attachments. 75 pages.	1.30	390.00
	Pacer log on and print appointment notice for accountant.	0.30	90.00
12/2/2003	Review application, declaration and proposed order. Post..	0.20	60.00
12/10/2003	Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements..	0.20	60.00
1/21/2004	Review bonding requirement and invoice. Run bond report. Update criteria and re run report. Print and review check preview. Prepare distribution or payment. Post to system and review balances.Update claims and post billing.	0.30	90.00
2/12/2004	Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.20	60.00
3/15/2004	Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.20	60.00
4/18/2004	Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.30	90.00
5/19/2004	Review correspondence from counsel re accounts. Review attachments and compare to claim.	0.50	150.00
	Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.20	60.00
5/27/2004	Review correspondence from accountant re tax analysis. Scan to E file. Prepare response.	0.60	180.00
6/7/2004	Review and print e-mail from counsel re notice. Post.	0.20	60.00
6/10/2004	Review fax from IRS and amended claim. Prepare transmittal to accountant re same and post claim amendment. Revise proposed distribution. Update Carey claim. Telephone call with clerk re address for Carey. Update trustee expenses. Prepare transmittal to counsel re continuance.	0.70	210.00
	Review and print e-mail from counsel re claims. Prepare response.	0.20	60.00
6/11/2004	Review and print email re IRS claim. Review claims file for FTB info. Prepare response to accountant. Prepare transmittal to counsel re continued hearing. Review distribution.	0.60	180.00

	<u>Hours</u>	<u>Amount</u>
6/14/2004 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.20	60.00
7/12/2004 Review and print e-mail from counsel re FTB claim. Review response from accountant. Prepare response to counsel re same. Download, print and review email attachment.	0.40	120.00
7/13/2004 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements. Post.	0.20	60.00
8/9/2004 Review old case report request. Prepare and update old case report. Prepare transmittal to UST re same.	0.40	120.00
8/12/2004 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements. Update monthly status.	0.20	60.00
9/10/2004 Review and print email from accountant re tax returns. FTB. Prepare response.	0.30	90.00
Review and print e-mail from counsel re hearing. Review opposition and Prepare transmittal to accountant re same. Prepare response to counsel.	0.50	150.00
9/16/2004 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.20	60.00
10/10/2004 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.30	90.00
11/1/2004 Review ECF and post. Review correspondence from accountant re status of claim. Prepare instructions to accountant re amended claim and hearing. Post to status notes.	0.40	120.00
11/5/2004 Review accountant's instructions re tax returns and review returns. Sign and prepare transmittal to accountant.	0.80	240.00
11/10/2004 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.20	60.00
12/12/2004 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.30	90.00
1/7/2005 Review and print email from accountant re tax returns and status of claim. Prepare response.	0.30	90.00
1/12/2005 Follow up on FTB claim. post to status notes and claim. Update forms I and II. Prepare transmittal to accountant re same and proof attachments.	0.60	180.00
1/13/2005 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements.	0.30	90.00

	<u>Hours</u>	<u>Amount</u>
2/9/2005 Search emails for last status. Prepare transmittal to accountant re 2000 tax return. Review file for return. Scan to E file and transmit. Prepare follow up request to FTB. Prepare transmittal to counsel requesting final fee application.	1.20	360.00
Set up accounting file for efile. Proof and bookmark.	1.10	330.00
Review correspondence from FTB re accountant balance. Prepare transmittal to accountant re same. Scan to E file..	0.40	120.00
2/10/2005 Review and print email from accountant and prepare response.	0.20	60.00
Setup Carey files for scanning. Confirm and bookmark scan.	1.30	390.00
2/11/2005 Review correspondence from accountant re FTB status.	0.10	30.00
2/16/2005 Review and print email from accountant re status. Prepare response, proof and prepare attachment.	0.70	210.00
Review and print email from accountant re tax returns. Prepare response.	0.20	60.00
2/21/2005 Telephone call with FTB re amended claim. Prepare status to accountant re same.	0.30	90.00
2/24/2005 Prepare response to accountant re tax returns and claim.	0.20	60.00
2/28/2005 Review and print email re amended claim. prepare response. Review fax from FTB and Scan to E file. . ECF download, review ECF summary, acrobat review of filed document and file edoc in case file. Update distribution report.	1.10	330.00
3/9/2005 Update status and prepare follow up request to counsel for fee application. Review prior emails for prior requests.	0.40	120.00
Review correspondence from accountant. Post FTB administrative claim. Prepare distribution or payment. Post to system and review balances. Prepare transmittal to accountant re same. Scan to E file.	0.60	180.00
3/11/2005 Review and print e-mail from counsel re final fee application, review and post to claims. Prepare transmittal to accountant re final tax return and final fee application. Update distribution report.	1.10	330.00
3/15/2005 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements. Update case status.	0.30	90.00
4/12/2005 Review accountants final fee application and post to claims. Update distribution report and proof. Revise. Review compensation issues with prior trustee.	1.40	420.00
Prepare final report and attachments.	3.20	960.00
Review notice of hearing and proof fees and expenses. Prepare draft Order. Travel to and attend final account hearing. Prepare order, prepare transmittal to UST re order. Prepare distribution report and final distribution. Review for unclaimed dividends and respond to creditor inquiry re claims. Prepare	4.50	1,350.00

	<u>Hours</u>	<u>Amount</u>
transmittal to UST. Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements approximately 6 times.		
4/12/2005 Prepare transmittal to counsel re Ungerman claim. Prepare transmittal to counsel re homestead and auto exemption. Prepare distribution or payment. Post to system and review balances. Search Carey file for Ungerman issues. Review responses from counsel and prepare reply, post notes.	1.40	420.00
4/14/2005 Review and print e-mail from counsel re claims. Prepare response and review Ungermann claims.	0.40	120.00
4/15/2005 Review and print e-mail from counsel re claims. Review response. post objections to claims request.	0.40	120.00
4/28/2005 Review correspondence from IRS re 505b acceptance. Scan to E file. Prepare transmittal to accountant re same.	0.30	90.00
5/2/2005 Review correspondence from IRS re 1041 requirements. Scan to E file..	0.20	60.00
5/9/2005 Review and print e-mail from counsel re Ungerman claim. Prepare response and review file for objection and claims.	0.60	180.00
5/19/2005 Review and print e-mail from counsel re claim objection. Download, print and review email attachment re judgments. Prepare responses. Post notes to claims.	0.60	180.00
5/20/2005 Review and print e-mail from counsel re amended claim from Ungermann. Download, print and review email attachment, Review email. Post claims 17 and 18. Update claims notes for 8-11 and 15. Update distribution report. Pacer logon for remaining claims. Prepare response to counsel. Review reply. Docket review for withdrawal of claims objection.	1.10	330.00
5/27/2005 Transmit to bank. Review check guard report. Manually post cleared check. Confirm balances.	0.30	90.00
6/9/2005 Prepare follow up email to counsel re fee application. Review response. ECF review.	0.30	90.00
6/13/2005 Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements. Review history of claims and fee application. Locate prior emails requesting fee application. Prepare reminder to counsel re fee application. Update status notes.	0.60	180.00
Update distribution report.	0.20	60.00
6/22/2005 update billing statement and proof. Review ECF filings. Update final report and Prepare transmittal to UST re same. Prepare and proof attachments. Review Carey material for final.	3.10	930.00

	<u>Hours</u>	<u>Amount</u>
6/27/2005 Telephone call with UST re prior trustee fees. Prepare transmittal to counsel re same. Review responses. Review and print email to/from UST re same. Update attachments to final. Revise final account.	1.10	330.00
Update distribution report. Review and print email to/from UST re Carey claim. Update Trustee's final report and attachments.	1.50	450.00
8/15/2005 Review notice of hearing and proof fees and expenses. Prepare draft Order. Travel to and attend final account hearing. Prepare order, prepare transmittal to UST re order. Prepare distribution report and final distribution. Review for unclaimed dividends and respond to creditor inquiry re claims. Prepare transmittal to UST. Review bank statements and prepare monthly recon summary. Compare and initial bank statements per UST handbook requirements approximately 6 times.	4.50	1,350.00
For professional services rendered	66.40	\$19,920.00
Balance due		<u>\$19,920.00</u>